

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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THOMAS M. MOROUGHAN,

Plaintiff,

-against-

ORDER

CV 12-512 (JFB) (AKT)

THE COUNTY OF SUFFOLK, SUFFOLK
COUNTY POLICE DEPARTMENT,
SUFFOLK DETECTIVES RONALD TAVARES,
CHARLES LESER, EUGENE GEISSINGER,
NICHOLAS FAVATTA, and ALFRED CICCOTTO,
DETECTIVE/SGT. WILLIAM J. LAMB, SGT.
JACK SMITHERS, SUFFOLK POLICE OFFICERS
WILLIAM MEANEY, ENID NIEVES, CHANNON
ROCCHIO, and JESUS FAYA and SUFFOLK
JOHN DOES 1-10, THE COUNTY OF NASSAU,
NASSAU COUNTY POLICE DEPARTMENT,
SGT. TIMOTHY MARINACI, DEPUTY CHIEF OF
PATROL JOHN HUNTER, INSPECTOR EDMUND
HORACE, COMMANDING OFFICER DANIEL
FLANAGAN, DETECTIVE/SGT. JOHN
DEMARTINIS, NASSAU POLICE OFFICERS
ANTHONY D. DILEONARDO, EDWARD BIENZ
and JOHN DOES 11-20,

Defendants.

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Counsel for Defendant Anthony DiLeonardo previously made an application to the Court to request an evidentiary hearing “to determine sanctions regarding the leak of multiple Internal Affairs Unit reports that were ultimately procured and widely disseminated by the media.”

DE 106. First, it is unclear from counsel’s letter the entity, entities, or individual(s) against whom Defendant is seeking sanctions. In addition, the Court believes that this issue may have been resolved based on correspondence between the parties and the District Attorney’s Office. The Court is DENYING, without prejudice, Defendant DiLeonardo’s letter request for such an evidentiary hearing at this time. If the issue has not been resolved and counsel still intends to

pursue this matter, in light of the nature of the relief being sought, Defendant DiLeonardo is required to file a formal motion under the Federal Rules for that purpose. If there is to be motion practice going forward, the Court is directing Attorney Marion to confer with counsel for the other parties and submit an agreed-upon briefing schedule to the Court for approval within 14 days of this Order.

SO ORDERED:

Dated: Central Islip, New York
March 20, 2014

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
United States Magistrate Judge